

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

RANDAL PRUIT,

Plaintiff,

v.

Civ. No. 22-371 MIS/GJF

STATE OF NEW MEXICO,
RICHARD HOLLIS, and
ELIZABETH MCGREGOR,

Defendants.

ORDER STAYING DISCOVERY


THIS MATTER comes before the Court on Defendants State of New Mexico, Richard Hollis, and Elizabeth McGregor's (collectively "Defendants") Motion to Stay Discovery Pending Resolution of Defendants' Entitlement to Eleventh Amendment, Absolute and Qualified Immunity ("Motion") [ECF 21]. Having reviewed the Motion, the record, and noting the concurrence of the parties,¹ the Court finds the Motion to be well taken and **GRANTS** it.

IT IS THEREFORE ORDERED that Defendants' Motion is **GRANTED** and, until the pending dispositive motion [ECF 20] is resolved, discovery in this matter is **HEREBY STAYED**.² Following resolution of the pending dispositive motion, the Court will set a telephonic status conference to discuss whether and to what extent the stay should be lifted.

¹ Per Local Rule 7.1, "[t]he failure to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." D.N.M.LR-Civ. 7.1(b). To date, Plaintiff has filed no response to the Motion.

² See Fed. R. Civ. P. 16 (giving judges the authority to stay discovery "for good cause").

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE